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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/048,187	01/25/2002	Hans Mingers	MINGERS-1(P	2908

25889 7590 11/05/2003

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EXAMINER
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JONES, DAVID B

ART UNIT	PAPER NUMBER
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3725

DATE MAILED: 11/05/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/048,187

Applicant(s)

Mingers

Examiner

David B. Jones

Art Unit

3725

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) none is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. Claims 1-9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claims appear to be a product of translation from a foreign document and as such contain many limitations that fail to meet US claim drafting practice. Applicant should review the claims and amend them into proper form. In claim 1, line 1, "'guiding and/or stretching" is an alternative limitation and as such fails to set forth the metes and bounds of the claims. On line 13 of claim 1, "the associated bolt" lacks antecedent basis. On line 14 of claim 1, the limitation "provision is made" fails to positively set forth structure and renders the claim indefinite. Further on line 14/15 of claim 1, "the outside of the sleeve" lacks antecedent basis. On line 16, "a ball bearing" lacks positive recitation in the combination. On line 17 of claim 1, "a lubrication channel" also lacks antecedent basis. On line 18 of claim 1, "the interior of the bolt" lacks antecedent basis. On line 20/21, "each end" lacks clear antecedent basis. On line 25 of claim 1, " a spacing element" lacks antecedent basis in the claim. On line 26/27, the limitation, "in terms of force" is awkward and indefinite in meaning. On line 34 of claim 1, "the circumferential direction of the bolt" lacks clear antecedent basis. On lines 36-37 of claim 1, "reaches approximately axially through the sealing ring" is awkward and indefinite and fails to clearly set for the structure of the disclosed invention. On line 41, "the surface of the sealing ring" lacks antecedent basis. On line

44/45 of claim 1, "a radial branch" and "a lubrication hole" lack positive recitation in the claim. Further on line 45 and bridging into line 46 of claim 1, "the interior of the ball bearing" lacks antecedent basis. In claim 3, "the path of the lubricant" lacks antecedent basis. Further in claim 3, "a passage hole" and "a sliding bush" lack positive recitation. In claim 4 "balls" lacks positive recitation. In claim 5 "provision" fails to positively recite structure and is indefinite in nature. Further "three, preferably four inserts" is alternative and indefinite and fails to clearly set forth the metes and bounds of the claim. In claim 6, the limitation "provision", like in the other claims supra, renders the claim indefinite. In claim 8, "a ring area lacks positive recitation. Further in claim 8, "(ring shaped)" renders the claim indefinite; verbiage in parenthesis is not allowed in US practice. Finally in claim 9, "with torsional strength" is a limitation that is vague and awkward and renders the claim indefinite.

2. Claims 1-9 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action.

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

4. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to David B. Jones whose telephone number is (703) 308-1887.

Any inquiry of general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-1148.

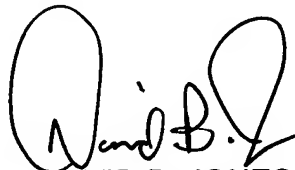
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In the event that the Applicant (s) wishes to communicate via Fax number for  
Group 3700 is (703) 872-9306.

wahp

A handwritten signature in black ink, appearing to read "David B. Jones", with a stylized flourish at the end.

DAVID B. JONES  
PRIMARY PATENT EXAMINER  
ART UNIT 3725